

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

YESENIA LEE ABREU,

Plaintiff,

v.

CAROLYN W. COLVIN, *Acting Commissioner*
of Social Security,

Defendant.

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No. 2:16-cv-00074

ORDER

And now, this 6th day of December, 2016, upon consideration of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, ECF No. 19, and the lack of any timely objection,¹ **IT IS ORDERED** as follows:

1. The Report and Recommendation is adopted.
2. This case is **REMANDED** to the Acting Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), so that the administrative law judge can properly consider the degree of absenteeism Plaintiff's history of recurring kidney stones would cause. If necessary, the administrative law judge should obtain testimony from a vocational expert regarding whether Plaintiff's documented treatment record would cause intolerable, and work-preclusive, absenteeism.
3. The Clerk of Court shall close this case.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.

JOSEPH F. LEESON, JR.

United States District Judge

¹ See 28 U.S.C. § 636(b)(1)(C).